

REMARKS

Amendments

Claims 11 and 17 are amended to clearly state that the frames referred to are the frames mentioned in claim 7. Claims 11 and 17 are also amended to further describe the parts of the U-sections. Claim 13 is amended to depend from claim 11 and to be consistent with the language of claim 11. Claim 14 is amended to be consistent with the description of Fig. 3. Claim 19 is amended to correct a typographical error.

Claim 26 is a new independent which corresponds to claim 17 rewritten in independent form. Claim 27 is a new independent claim which corresponds to claim 22 rewritten in independent form. New claim 28 combines the features recited in claims 15 and 24.

Rejection under 35 USC 103 in view of Matthews et al. and GB 860,918

Claims 2-5, 7-14, 18, 23 and 24 are rejected as allegedly being obvious in view of Matthews et al. (US 3,305,986) and GB 860,918. This rejection is respectfully traversed.

Matthews et al. (US 3,305,986) disclose “walk-in type enclosures such as refrigerated enclosures, radio frequency shielding enclosures and the like.” See column 1, lines 1-13 and column 2, lines 16-19. The enclosure is constructed from panels. See reference numerals 22, 24, 26, 28, 30, and 34 in the Figures.

As shown in Figures 2-3, the panels are constructed from reinforcing frames 36, inner and outer cover metal cover members 48 and 56, and a polyurethane foam core 54. The reinforcing frames are made of two outer wood strips 38 that are each provided with inner metal strips 40. These two outer wood strips are spaced from each other by a series of spacer elements 46. The frames are secured together by countersink rivets that pass through each of the spacer elements 46, as well as the metal strips 40 and two outer wood strips 38. The reinforcing frames can be positioned so as to extend beyond the edge of a panel and thereby connect with female joints in adjacent panels. See, e.g., Figure 7. The reinforcing frame members are said to be arranged so that that “there is no metal to metal contact between the inside and outside of the fabricated enclosure.” See column 1, lines 20-24.

Mathews et al. do not disclose an enclosure for parts of a low-temperature air

separation system. Mathews et al. also do not disclose filling an enclosure with thermal insulation material.

As described by Mathews et al., the reinforcing frames and the panels containing same are used for walk-in type enclosures. Mathews et al. do not disclose or suggest enclosures for use with a low-temperature air separation system. Conversely, GB '918 discloses an enclosure for housing a high or low temperature installation.

The enclosure of GB '918 comprises a frame, made of framing members connected to one another, to which plates are attached. See, e.g., Figures 2 and 5. The formed frame is said to be a rigid entity independent of the plates. See page 1, lines 67-71.

As shown in Fig. 2, the enclosure of GB '918 comprises an overall frame made from framing members. Plates are attached to one side of the framing members. The plates and framing members are all made of steel. See plates 2 and 3 attached to framing members 1 and corner framing members 9. Thus, it is evident that the framing members and plates are not designed to have an insulating effect themselves. They do not contain insulating materials such as a polyurethane foam core. Furthermore, since the framing members and plates are made of steel they clearly provide metal to metal contact between the inside and outside of the fabricated enclosure. Compare the enclosure of Mathews et al.

A framing member is shown in more detail in Fig. 1. The framing members have an overall U-shape with a web portion *g* and two flange portions *h* and *i* which are perpendicular to web *g*. Attached to the ends of each of flanges *h* and *i* are flanges *c* and *d*, respectively, which are parallel to web *g*. Plates 2 and 3 are attached to flanges *c* and *d* by removable connections 4 and 5. Thus, the U-shaped members are arranged so that web *g* is positioned within the interior of the enclosure and flanges *h* and *i* extend towards the exterior of the enclosure. Compare, e.g., applicants' claim 13.

As can be seen from Figs. 1-2, the U-shaped members face outwards so that a gap is provided by which plates 2 and 3 are accessible. See, e.g., gap 10 in corner framing members 9. The framing members are designed so that "each plate of a wall can be dismantled and re-erected singly and independently of the remainder plates of the wall." To achieve this effect, the connections which attach the plates to the framing members "can be easily reached from the outside" by means of the gaps provided in the framing members. See page 1, line 83 – page 2, line 6. Thus, these gaps also enable metal contact between the inside and outside of

the fabricated enclosure.

It is evident that the Mathews et al. disclosure is directed to smaller structures, such as walk-in coolers or refrigerators, as opposed to an enclosure for housing a high or low temperature installation such as disclosed by GB '918. Such smaller structures will exhibit much higher temperatures, for example more than 250 K, in comparison for example to a cryogenic air separation unit (e.g., operating at around 100 K). Furthermore, Mathew et al. provide no suggestion of filing their resultant enclosure formed from the panels with insulation material. To do so would render the walk-in cooler or refrigerator useless. Thus, one skilled in the art would not look to the disclosure of GB '918 to modify the walk-in cooler or refrigerator enclosure of Mathews et al.

In addition, contrary to the assertion in the rejection, one of ordinary skill in the art would not use the U-shaped framing members of GB '918 in the enclosure of Mathews et al. As discussed above, the framing members of GB '918 are designed to provide a gap whereby the plate connections are easily accessible to permit the plates to each be individually removed. To use such framing members in the enclosure of Mathews et al. would result in metal contact between the inside and outside of the fabricated enclosure and thus eliminate the function of the Mathews et al. enclosure.

Additionally, the framing members of GB '918 are use to form a frame to which the plates are attached. GB '918 does not form several panels, where each panel comprises a frame and a sheet metal lining, and then these panels are connected to one another to form an enclosure around one or more parts of a low-temperature air separation system. Instead, in GB '918 the frame is constructed and then the plates are attached to the frame.

As discussed above, it is respectfully submitted that one skilled in the art would not look to the disclosure of GB '918 for modifying the system disclosed by Mathews et al. Furthermore, one skilled in the art would not look to the structure disclosed by Mathews et al. for constructing an enclosure for a low temperature air separation plant. Additionally, the combination of Mathews et al. and GB '918 does not suggest a process in accordance with applicants' claimed invention wherein an enclosure is formed around one or more parts of a low-temperature air separation system, and then filled with thermal insulation material.

In view of the above remarks, it is respectfully submitted that the disclosure of Mathews et al., taken alone or in combination with the disclosure of GB '918, fails to render

obvious applicants' claimed invention. Withdrawal of the rejection is respectfully requested.

**Rejection under 35 USC 103 in view of Matthews et al., GB 860,918
and Bardo et al.**

Claims 15-16 are rejected as allegedly being obvious in view of Matthews et al. (US 3,305,986), GB 860,918, and Bardo et al. (US 5,236,625). This rejection is respectfully traversed.

In the rejection, the disclosure of Bardo et al. is relied on for a teaching of using round diagonal braces. Specifically, the rejection refers to reference numerals 221 and 223 of Bardo et al. See Figs 23 and 24.

As shown in Fig. 23, a diagonal suspension support 221 extends from a bracket 227 to a connection with wall panel 60. Suspension support 221 can be a steel rod or a prestressed cable. In Figure 24, a diagonal suspension support 223 extends from bracket 243 to a connection with bracket 249. Suspension support 223 can also be a steel rod or a prestressed cable. See column 12, lines 18-37

The disclosure of Bardo et al. is directed to a structural assembly that is adapted for use as a cooling tower. See column 1, lines 62-68. The rejection presents no rationale as to why one skilled in the art would look to such a structural assembly for purposes of modifying an enclosure for a walk-in cooler or refrigerator, such as disclosed by Matthews et al., or an enclosure for housing a high or low temperature installation such as disclosed by GB '918.

Furthermore, particularly in light of reinforcing frames 36 and polyurethane foam core 54 used in the walls of the enclosure of Matthews et al., there is no need to employ diagonal suspension supports to improve rigidity in the Matthews et al. enclosure.

In any event, the disclosure of Bardo et al. does not overcome the deficiencies discussed above in the combined disclosures of Matthews et al. and GB '918.

In view of the above remarks, it is respectfully submitted that the disclosure of Mathew et al., taken alone or in combination with the disclosure of GB '918 and/or Bardo et al., fails to render obvious applicants' claimed invention. Withdrawal of the rejection is respectfully requested.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,
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